

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**PENSKE MEDIA CORPORATION, DBA PMC, A**

PLAINTIFF(S)

V.

**PROMETHEUS GLOBAL MEDIA, LLC., ET AL**

DEFENDANT(S).

CASE NUMBER

**CV11- 7560 VBF (MRWx)**

**ADR PROGRAM QUESTIONNAIRE**

(1) What, if any, discovery do the parties believe is essential in order to prepare adequately for a settlement conference or mediation? Please outline with specificity the type(s) of discovery and proposed completion date(s). Please outline any areas of disagreement in this regard. Your designations do not limit the discovery that you will be able to take in the event this case does not settle.

Defendant believes that no discovery is necessary to prepare for a settlement conference or mediation.

Plaintiff believes that the only discovery necessary prior to mediation is discovery regarding Defendant's affirmative defense that a third party is partly or wholly responsible for the alleged conduct.

(2) What are the damage amounts being claimed by each plaintiff? Identify the categories of damage claimed [e.g., lost profits, medical expenses (past and future), lost wages (past and future), emotional distress, damage to reputation, etc.] and the portion of the total damages claimed attributed to each category.

In connection with the claim currently stated, Plaintiff seeks injunctive relief, as well as actual damages (subject to proof according to an accounting), statutory damages (\$150,000 per work alleged in the complaint pursuant to 17 U.S.C. 504(c)(2)), disgorgement of profits (subject to proof according to an accounting), attorneys' fees, costs of suit, and pre-judgment interest.

(3) Do the parties agree to utilize a private mediator in lieu of the court's ADR Program?

Yes ☐ No ☒

(4) If this case is in category civil rights - employment (442), check all boxes that describe the legal bases of plaintiff claim(s).

☐ Title VII

☐ Age Discrimination

☐ 42 U.S.C. section 1983

☐ California Fair Employment and Housing Act

☐ Americans with Disabilities Act of 1990

☐ Rehabilitation Act

☐ Other \_\_\_\_\_

I hereby certify that all parties have discussed and agree that the above-mentioned responses are true and correct.

January 26, 2012

Date

  
\_\_\_\_\_  
Attorney for Plaintiff (Signature)

Steven B. Stiglitz

\_\_\_\_\_  
Attorney for Plaintiff (Please print full name)

January 26, 2012

Date

  
\_\_\_\_\_  
Attorney for Defendant (Signature)

Anthony D. Sbardellati

\_\_\_\_\_  
Attorney for Defendant (Please print full name)